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Name Change Legislation May Give Domestic Abuse Survivors Added Protections

NPR Illinois | 91.9 UIS | By [Daisy Contreras](#)

Published February 12, 2018 at 4:30 PM CST



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A name change "publication notice of court date" form. Current law says a name change must be published in a local newspaper, but the new measure would allow someone to submit a waiver and keep the change



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Survivors of domestic violence who want to change their name might get additional protections under a new Illinois proposal.

Current law says a name change must be published in a local newspaper, but the new measure would allow someone to submit a waiver and keep the change away from public records.

Sara Ghadiri, a Chicago attorney who does pro bono work assisting survivors of domestic violence, says there are many instances where survivors don't feel safe even after leaving an abusive relationship. "In the age of the internet, a public record search is no further than a few clicks of a button and credit card charge away, and will pull up everything from electric bills to court records," she says.

Ghadiri says only those who submit orders of protection documents — such as for stalking or domestic abuse, may qualify for a waiver. This prevents anyone from coming forward with false or misleading allegations of abuse before a proper investigation has been conducted.

"A court that's hearing a name change won't actually be deciding if somebody is a victim of domestic violence in and of itself. They'll be evaluating the affidavit and determining whether or not that's true."

The measure would also allow a victim's address be kept from court records in case of potential safety risks. The current Illinois name change statute only allows for publication waivers when the victim is under a witness protection program.

Thirty-five other states, including Illinois, have the publication requirement. Twenty-one allow for waivers and fifteen don't have any type of requirements in place.

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Daisy reported on statehouse issues for our Illinois Issues project. She's a Public Affairs Reporting program graduate from the University of Illinois Springfield. She also graduated from the Illinois Institute of Technology, and has an associates degrees from Truman College. Daisy is from Chicago where she attended Lane Tech High School.

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